IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.6315 OF 2006

Mr.Arvind Vinayak Shivsharan. .. Petitioner

Vs.

Bank of Baroda & Ors. .. Respondents

--

S/Shri K.S.Bapat with Yadav i/b A.H.Patangare for the petitioner.

Shri S.K.Talsania i/b M/s. Sanjay Udeshi & Co. for the respondents.

--

CORAM : R.M.S.KHANDEPARKAR &

V.M.KANADE, JJ

DATED : 21ST SEPTEMBER, 2006

P.C.

1. Heard. The petitioner challenges his transfer from Solapur, Main Branch, to Akluj Branch of Bank of Baroda solely on the ground that the transfer is not strictly in consonance with the settlement arrived at between the bank and its employees. The grievance of the petitioner is that he has already crossed the age of 56 years, and therefore, he should not be transferred from one branch to another in view of the settlement arrived at between the bank and its employees in that regard. The settlement apparently

discloses that as a matter of course there should not be transfer of the employees who have crossed the age of 56 years. However, the settlement also provides that in case of administrative exigency, such transfers are permissible. It is not the case of the petitioner that the transfer is malafide. Obviously, therefore, the transfer is made as an administrative exigency.

2. On behalf of the petitioner it is also submitted that he is suffering from Diabetes and Blood Pressure, and he is required to look after his aged parents, and in that regard he has made a representation to the bank.

3. In the facts and circumstances of the case, we are not inclined to interfere in the order of transfer. However, in case the petitioner makes a representation, the same may be considered in accordance with the provisions of law and bearing in mind the facts disclosed in the petition.

4. At the request of the learned advocate for the petitioner, time for joining at the transferred place, while his representation is being under consideration by the respondent/bank, is extended till 3rd October,

2006.

5. With the above observations, the petition is rejected.

(R.M.S.KHANDEPARKAR, J)

(V.M.KANADE, J)